

31.01.04 Longevity and Hazardous Duty Pay

Revised [March 11, 2016](#)

Next Scheduled Review: March 11, 2021

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Regulation Statement

The Texas A&M University System (system) provides longevity or hazardous duty pay to eligible employees in accordance with state law.

Reason for Regulation

This regulation provides guidance regarding employee eligibility for longevity and hazardous duty pay.

Definitions

Click to view [Definitions](#).

Procedures and Responsibilities

1. LONGEVITY PAY

1.1 A nonacademic employee is entitled to longevity pay of \$20 per month for every two years of lifetime service credit as an employee of the state of Texas, up to and including 42 years of lifetime service credit, if the employee:

- (a) is in full-time status on the first workday of the month;
- (b) is not in a leave without pay status on the first workday of the month; and
- (c) has accrued at least two years of lifetime service credit no later than the last day of the preceding month.

1.1.1 Longevity pay begins at the end of the second year (24 months) of lifetime service credit and increases at the end of each two years thereafter.

1.1.2 An employee who retired from state employment before June 1, 2005, and returned to state employment before September 1, 2005, is entitled to receive

longevity pay in the same amount the employee was entitled to receive immediately before September 1, 2005.

1.1.3 If an employee ceases being a full-time employee after the first workday of a month but otherwise qualifies for longevity pay, the employee's compensation for the month includes full longevity pay.

1.2 The following employees are not eligible for longevity pay:

- (a) an employee who retired from state employment on or after June 1, 2005, and receives an annuity based wholly or partly on service as a state employee in a public retirement system that was credited to the employee;
- (b) an employee who retired from state employment before June 1, 2005, and returned to state employment on or after September 1, 2005;
- (c) a part-time employee (normally scheduled to work less than a total of 40 hours a week in one position);
- (d) a temporary employee; or
- (e) an academic employee.

1.3 As defined in System Regulation 33.99.06, *Administration of Multiple Employment*: (1) an employee with a joint appointment will be considered to occupy one position, and (2) an employee with dual employment status occupies two positions and is ineligible for longevity pay unless one position is full-time.

1.4 To determine eligibility for longevity pay, a nonacademic employee is one whose full-time position, for any portion of the month, does not involve teaching academic courses. An employee may continue to receive longevity pay if he or she teaches a course or courses in addition to his or her full-time nonacademic position.

1.5 An employee's lifetime service credit for longevity pay purposes does not include the period served in a hazardous duty position if the employee is entitled to receive hazardous duty pay.

2. HAZARDOUS DUTY PAY

2.1 A commissioned peace officer of an institution of higher education is considered to be in a hazardous duty position and entitled to hazardous duty pay of \$10 per month for each 12-month period of accrued lifetime service credit in a hazardous duty position if the employee:

- (a) is a state employee for any portion of the first workday of the month; and
- (b) has completed at least 12 months of lifetime service credit no later than the last day of the preceding month.

2.2 Prior hazardous duty service counts toward satisfying the 12-month lifetime service credit requirement. An eligible part-time employee receives a proportional amount of hazardous duty pay.

- 2.3 An employee who received hazardous duty pay based on total state service performed before May 29, 1987, is entitled to continue to receive hazardous duty pay based on that service if the employee continues to hold a hazardous duty position.
- 2.4 An eligible employee who transfers from one state agency to another state agency after the first workday of the month is entitled to payment of full hazardous duty pay for the month by the state agency employing the individual on the first workday of the month.
- 2.5 An employee eligible for hazardous duty pay does not accrue lifetime service credit for longevity pay purposes for the period served in the hazardous duty position, but is eligible for longevity pay based on the eligibility requirements in Section 1.1.

3. PAYMENT AND PAYROLL

- 3.1 An eligible employee who enters leave without pay status or who terminates state employment after the first workday of the month is entitled to full longevity or hazardous duty pay for the month. Longevity and hazardous duty pay are not prorated.
- 3.2 An eligible employee who terminates state employment and who is approved to remain on the payroll to exhaust vacation or accrued state or FLSA compensatory time is entitled to payment of full longevity or hazardous duty pay for each month or fraction of a month the individual continues on the payroll. However, longevity and hazardous duty pay will not be considered in the calculation of the lump-sum pay for vacation of an eligible employee who leaves system employment.
- 3.3 A lump-sum payment for accrued FLSA compensatory time will include longevity or hazardous duty pay in the calculation of the hourly rate of pay.
- 3.4 The calculation of vacation and sick leave benefits payable to the estate of a deceased employee will not include longevity and hazardous duty pay.
- 3.5 Longevity and hazardous duty pay are part of each eligible employee's gross compensation and are subject to the same payroll deductions (federal income tax, social security tax, Teacher Retirement System, etc.) and payroll charges (workers' compensation insurance, unemployment insurance, etc.) as regular salary or wages. However, longevity and hazardous duty pay are not considered in determining the amount of any system group insurance coverages.
- 3.6 Longevity and hazardous duty pay received by an employee will be allocated to direct and/or indirect costs of grants and contracts on the same basis as the employee's regular salary.

4. LIFETIME SERVICE CREDIT/STATE SERVICE CREDIT

- 4.1 Employment with the system and any other agency or institution of the state of Texas, including employment as a student worker, will count as state service for longevity and hazardous duty pay purposes. Employment with independent school districts and/or junior or community colleges is not state employment.

- 4.2 State service is to be counted regardless of method of salary payment (hourly, monthly, etc.), length of appointment, percentage of full-time worked, continuity of service, or eligibility for longevity and hazardous duty pay in a prior position. Length of state service is determined by counting the actual days, months and years of state employment.
- 4.3 Except for an employee returning to state employment from military leave without pay, any full calendar month in which an employee is on leave without pay or is not budgeted to work (and does not work) will not be counted in the calculation of total state service credit for purposes of longevity and hazardous duty pay. Neither of these situations constitutes a break in employment.
- 4.4 An employee returning to state employment following an official leave of absence for active military service is entitled to have time on active military duty counted as state service for longevity pay entitlement, in accordance with System Regulation *31.03.06, Military Leave and Service*.
- 4.5 Longevity and hazardous duty pay for an employee who transfers from one type of position to another are determined as follows:
 - 4.5.1 An employee receiving longevity pay who transfers to a hazardous duty position will continue to receive longevity pay for the years of service accrued in positions eligible for longevity pay and will receive hazardous duty pay for only the years in the hazardous duty position. The employee may not receive longevity pay and hazardous duty pay for the same years. However, when computing the total years of state service, the years spent at both the nonhazardous duty job and the hazardous duty job will be included.
 - 4.5.2 An employee working in a hazardous duty position who transfers to a nonhazardous duty position will no longer receive hazardous duty pay. The employee will receive longevity pay based on the total number of years of service as a state employee which will include the years of service in the hazardous duty position.

5. DOCUMENTATION OF LIFETIME SERVICE CREDIT/STATE SERVICE CREDIT

- 5.1 A new employee will be advised of the effect of previous state service on longevity and hazardous duty pay entitlements and of the need to identify in writing any previous creditable service with the system and/or other state of Texas agencies.
- 5.2 Each member's human resources department, payroll office or employing department is responsible for providing a new employee a form to identify previous employment with the state of Texas. The form will request the name of each prior state employer, the beginning and ending dates of each period of employment, the employee's name during that employment period and authorization to contact each prior state employer. The member is responsible for establishing a process to confirm in writing the employee's prior state service based on the years, months and days worked, any full calendar months in leave without pay status and any employment periods in a hazardous duty position. Contact information for state agency and higher education institution human resource directors is available on the State Auditor's Office website. This state service documentation will be retained in the employee's official personnel file.

5.3 The employee must also furnish documentation showing creditable service for active military duty, per Section 4.4, which will be retained in the official personnel file.

Related Statutes, Policies, or Requirements

Tex. Gov't Code Ch. 659, Subchs. [D, Longevity Pay](#), and [L, Hazardous Duty Pay](#)

[Texas State Auditor's Office – Human Resources Director Contacts](#)

[System Regulation 31.03.06, Military Leave and Service](#)

[System Regulation 33.99.06, Administration of Multiple Employment](#)

Member Rule Requirements

A rule is not required to supplement this regulation.

Contact Office

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